

# HOUSE . . . . . No. 901

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By Ms. Balser of Newton, petition of Ruth B. Balser and others relative to equitable coverage for annuity policies. Financial Services.

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## The Commonwealth of Massachusetts

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### PETITION OF:

Ruth B. Balser	Barbara A. L'Italien
Ronald Mariano	James E. Timilty
Lida E. Harkins	James B. Eldridge
David Paul Linsky	Mark C. Montigny
Pamela P. Resor	Patricia D. Jehlen
Gale D. Candaras	Cynthia S. Creem
Jennifer L. Flanagan	Anne M. Gobi
Martha M. Walz	Timothy J. Toomey, Jr.
Anthony J. Verga	David B. Sullivan
Paul J. Donato	Gloria L. Fox
Christine E. Canavan	Mary E. Grant
Byron Rushing	Geraldine Creedon
John W. Scibak	Rachel Kaprielian
Stephen Kulik	Willie Mae Allen
Cory Atkins	Carl M. Sciortino, Jr.
Peter V. Kocot	Louis L. Kafka
Denise Provost	Jarrett T. Barrios
Susan C. Fargo	Jennifer M. Callahan
Kay Khan	Ellen Story
Douglas W. Petersen	Walter F. Timilty
Antonio F. D. Cabral	Michael E. Festa
Alice K. Wolf	

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In the Year Two Thousand and Seven.

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### AN ACT RELATIVE TO EQUITABLE COVERAGE FOR ANNUITY POLICIES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 9 of chapter 175 of the General Laws, as  
2 appearing in the 2004 Official Edition, is hereby amended by  
3 inserting after the word "commissioner", and in line 112, the  
4 following:—; provided, however, that for any contract issued on or  
5 after January 1, 2009, that any mortality table shall only be applied  
6 to an individual or group annuity or pure endowment contract on a

7 gender-neutral or gender-blended basis in accordance with  
8 regulations promulgated by the commissioner.

1 SECTION 2. Said section 9 of said chapter 175, as so appearing,  
2 is hereby further amended by inserting after the word “contracts”, in  
3 line 118:—; provided, however, that for any contract issued on or  
4 after January 1, 2009, that any mortality table shall only be applied  
5 to an individual or group annuity or pure endowment contract on a  
6 gender-neutral or gender-blended basis in accordance with regula-  
7 tions promulgated by the commissioner.

1 SECTION 3. Said section 9 of said chapter 175, as so appearing,  
2 is hereby further amended by inserting after the word “specified”, in  
3 line 163 the following words:—; provided, however, that for any  
4 contract issued on or after January 1, 2007, that any mortality table  
5 shall only be applied to an individual or group annuity or pure  
6 endowment contract on a gender-neutral or gender-blended basis in  
7 accordance with regulations promulgated by the commissioner.

1 SECTION 4. Said chapter 175 of the General Laws, is hereby  
2 further amended by inserting after section 120E the following  
3 section:—

4 Section 120F. No company, and no officer or agent thereof, shall  
5 make or permit any distinction, classification, discrimination, or  
6 otherwise recognize any difference in life expectancy, on the basis of  
7 race, color, religion, sex, marital status, or national origin, in the  
8 amount or payment of premiums or rate charges, or in the benefits  
9 payable, or in any of the other terms or conditions of any group or  
10 individual annuity or pure endowment contract or certificate  
11 covering 1 or more residents of the commonwealth which is issued  
12 or delivered within or without the commonwealth on or after January  
13 1, 2009. Any violation of this section shall constitute an unfair  
14 method of competition or an unfair or deceptive act or practice in  
15 violation of chapter 176D.

1 SECTION 5. Said section 132B of said chapter 175, as appearing  
2 in the 2004 Official Edition, is hereby amended by striking out, in  
3 line 25, the word “sex.”.